

# COMMITTEE REPORT

## MADAM PRESIDENT:

The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred House Bill No. 1057, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1           Page 1, line 2, after "3." insert "(a) This section does not apply to
- 2           the following:
- 3           (1) A container possessed by a person who is:
- 4               (A) not the driver of a motor vehicle; and
- 5               (B) either:
- 6                   (i) in the passenger compartment of a motor vehicle
- 7                   designed, maintained, or used primarily for the
- 8                   transportation of persons for compensation; or
- 9                   (ii) in the living quarters of a house coach or house
- 10                  trailer.
- 11           (2) A container located in a fixed center console or other
- 12           similar fixed compartment that is locked.
- 13           (3) A container located:
- 14               (A) behind the last upright seat; or
- 15               (B) in an area not normally occupied by a person;
- 16           in a motor vehicle that is not equipped with a trunk.
- 17           (b)".
- 18           Page 1, line 2, reset in roman "The".
- 19           Page 1, line 2, after "operator" insert "**driver**".
- 20           Page 1, line 2, reset in roman "of".
- 21           Page 1, line 2, delete "(a)".

- 1 Page 1, delete lines 3 through 14.
  - 2 Page 1, line 15, delete "(b) A person in".
  - 3 Page 1, run in lines 2 through 15.
  - 4 Page 2, line 2, after "knowingly" insert "**or while the motor vehicle**
  - 5 **is located on the right-of-way of a public highway,"**.
  - 6 Page 2, line 2, reset in roman "allows".
  - 7 Page 2, line 2, delete "or while the motor vehicle is located on the".
  - 8 Page 2, line 3, delete "right-of-way of a public highway, possesses".
  - 9 Page 2, line 7, reset in roman "to be".
  - 10 Page 2, line 8, reset in roman "Class B".
  - 11 Page 2, line 8, delete "Class D".
  - 12 Page 2, line 8, after "." begin a new paragraph and insert:
  - 13 "(c)".
  - 14 Page 2, line 8, reset in roman "If a person is found to have a
  - 15 previous".
  - 16 Page 2, reset in roman lines 9 through 13.
  - 17 Page 2, delete lines 14 through 18.
- (Reference is to HB 1057 as printed January 25, 2005.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 9, Nays 0.

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Wyss

Chairperson